



GOVERNMENT OF PUERTO RICO  
OFFICE OF THE GOVERNOR  
ENVIRONMENTAL QUALITY AREA

Executive Director



July 29, 2010

MRS JUDITH A ENCK  
REGIONAL ADMINISTRATOR  
US EPA – REGION II  
290 BROADWAY 25<sup>TH</sup> FLOOR  
NEW YORK NY 10007-1866

Dear Mrs. Enck:

Re: Green House Gases Tailoring Rule  
Authority to Issue Title V Permits to GHG Sources

The Environmental Quality Board (EQB) has reviewed the Regulation for the Control of Atmospheric Air Pollution (RCAP) in order to verify if the Rules are consistent with the Tailoring Rule applicability threshold and the ability to issue Title V permits to Green House Gases (GHG) sources.

After a discussion with the Air Quality Area and the Legal Affairs Office, it was determined that EQB need to amend the RCAP to regulate GHG sources in accordance with the Tailoring Rule.

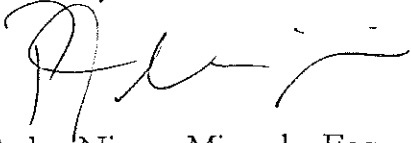
To comply with the Tailoring Rule requirements, EQB could not adopt the interpretations of the terms *major source* or any of its component terms (*a major stationary source, any air pollutant, or subject to regulation*), or the numerical thresholds without proper amendments to the definitions in the RCAP. The amendments will include the review of *major stationary source* and *significant emissions* definitions. Also, is required to define *green house gases* and *regulated pollutant*.

In addition, the Air Quality Area will request the Governing Board an interpretative resolution to suspend any fee related to GHG emissions until appropriate fees are determined based on emission inventories.

The public hearing for the RCAP proposed amendments is expected to be celebrated by December 2010. Enclosed you will find a Gant Chart describing all the steps required to complete this project.

If you have any question, feel free to contact Eng. Luis R. Sierra, at 787-767-8181, extension 3269, or Eng. Leimarys Delgado at extension 3278.

Cordially,

A handwritten signature in black ink, appearing to read 'Pedro Nieves Miranda', with a stylized flourish at the end.

Pedro Nieves Miranda, Esq.  
Executive Director

PNM/LST